



27 SEP 2006

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In re Application of	:	
MANTH et al.	:	
Application No.: 10/587,009	:	DECISION ON
PCT No.: PCT/EP2003/005390	:	
Int. Filing Date: 23 May 2003	:	PETITION UNDER
Priority Date: 22 January 2003	:	
Attorney Docket No.: MANTH ET AL-1-PCT	:	37 CFR 1.137(b)
For: WATER DESALINATION INSTALLATION	:	

This decision is in response to applicant's submission filed 21 July 2006.

#### **BACKGROUND**

On 23 May 2003, applicants filed international application PCT/EP2003/005390 which designated the U.S. and claimed a priority date of 22 January 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 05 August 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 July 2005.

On 21 July 2006, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the Basic National Fee, the surcharge under 37 CFR 1.492(h) for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage, an assertion of small entity status, and a petition under 37 CFR 1.137(b) to revive the application.

#### **DISCUSSION**

A petition to revive the present application under 37 CFR 1.137(b) must include:

- (1) The required reply;
- (2) The petition fee;
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

As to item (1), applicant submitted the basic national fee on 21 July 2006.

As to item (2), applicant submitted the petition fee on 21 July 2006.

As to item (3), petitioner's statement that the application became abandoned unintentionally has been construed as meaning that the "entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional." If this interpretation is incorrect, applicant must *immediately* notify the Office of PCT Legal Administration of such fact.

A review of the application file reveals that, with the filing of the present petition and accompanying papers, a proper response has been submitted and all of the requirements of 37 CFR 1.137(b) for revival have been satisfied and revival is therefore appropriate.

### **CONCLUSION**

The petition under 37 CFR 1.137(b) is **GRANTED** for the reasons set forth above.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application including preparing and mailing a NOTIFICATION OF MISSING REQUIREMENTS (Form PCT/DO/EO/905) requiring an executed oath or declaration of the inventor in compliance with 37 CFR 1.497(a)-(b).

  
Daniel Stemmer

Legal Examiner

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